

WILL DEMAND TITLE.

NEWARK WANTS CANISTEAR RESERVOIR

AND ECHO LAKE.

THE BOARD OF WORKS WILL INSIST THAT THE EAST JERSEY WATER COMPANY SHALL FULFIL ITS CONTRACT.

The Newark Board of Works will to-morrow adopt a resolution demanding that the East Jersey Water Company convey to the city of Newark the title to the Canistota Reservoir, and also to Echo Lake, in the Pequannock watershed, as part and parcel of the Newark water supply plant, under the contract between the company and the city. The resolution was submitted to the Board, sitting yesterday as a water committee, and was adopted, subject to the action by the Board itself at the regular meeting to-morrow.

The ownership of the Canistota Reservoir has been in dispute for several years. The plant, as built by the East Jersey Water Company, includes only Oak Ridge and Clinton reservoirs, of a capacity respectively of 2,900,000,000 and 1,800,000,000 gallons. The contract required that the plant should deliver 50,000,000 gallons daily each day of

year, under all conditions the water supply to the city of New Jersey would be 5,000,000 gallons, and still September, 1900, and in consequence of the company's water rights in the Pequanock Valley, about one-half the water was issued until that time it was to have the use of the surplus water. Subsequently, the company had a dam built at Echo Lake, in Jersey City for a temporary supply, and connected the pipes at Macopin with the Jersey City main. The company's engineer had made an error of calculation as to the capacity of the large pipe from Macopin to Jersey City, and the result was that the water supply was insufficient. This involved new arrangements. A second pipeline was built, giving a total carrying capacity of 10,000,000 gallons. The dam at Echo Lake was secured and raised by a dam at the outlet, and about six miles of pipe was laid from the dam to the city. The company went to the head of the watershed, and procuring additional land and water rights, built a new dam, and now the city of Jersey City has 15,000,000 gallons.

It was given by the city of Jersey City and was necessary to the city of New Jersey. The city of New Jersey was entitled to only 5,000,000 gallons daily. It could not claim the 5,000,000 gallons daily. The city of New Jersey claimed everything above the old tributary to the intake. The contract provides that no legal right was given to the city of Jersey City. The contract, in September, 1900, but this question of ownership was left open until recently, when the city of New Jersey claimed the water rights in the Pequannock Valley that Oak Ridge Reservoir was the principal dam drawn upon, and the water was then supplied to the city of Jersey City.

was also taken. Carlestar reservoir was kept hermetically closed. It was built to allow its water to be used in the event of a drought, but it was feared that if its gates should be opened, a claim to it as a part of the Newark plant would of once be established.

Two weeks ago the Newark Board of Health had the water in Oak Ridge examined, and the report was that it was good. On the following day the company closed the reservoir gates, and the water was sent on to the Oak Ridge plant.

Meanwhile the Board of Works had commissioned Professor Albert R. Leeds, of Stevens Institute, a chemical expert, to make a report on the Board's Water Committee. Professor Leeds took nine samples of water from the reservoir, and found that the water was good. He also found that the largest number of species, and by far the greatest number of individuals in each species, were in the water from the lower end of the stream. The only organism in Oak Ridge was the melobesia, a

was asked if this vegetable growth was detrimental to health, and he said he would not drink the water if he could get better. The water was not pure, but, as to its wholesomeness, if he liked the taste he could drink a bucketful.

President Van Duyne suggested that another expert be engaged to corroborate Professor Leeds' report.

The terms of payment of the \$6,000,000 to the East Jersey Water Company for the entire plant

provided that the company should make either in cash or bonds a payment of \$2,500.00. The first payment of \$2,500.00, when the plant was completed, was in a 4 per cent bond. These were the only bonds that the company had. The sum of \$20,000 was held in escrow by the city. Some time later a second contract was made, by which it was immaterial provided that the last payment of \$20,000.00 should be in bonds. Undoubtedly the company was the city's option. The bonds commanded a price of about \$16 on the par value of \$20, making a gain for the company of \$4,000.00. The balance of \$16,000.00 was demanded by the Board of Works is that the balance of \$2,000.00 shall be paid in cash. On this point undoubtedly there will be litigation.

ALIMONY PURSUES LEE. Mrs. Margaret J. Van Orden

IT IS A RECURRING DEBT AND VAN ORDEN WOULD HAVE TO WORK THE BANK-REUPLY LAW EVERY MONTH.

A husband who sought release in bankruptcy from paying alimony has won a doubtful victory in the United States District Court in New Jersey. Mrs. Margaret J. Van Orden obtained a divorce

from New York City in 1897, and obtained an award of \$100 a month alimony. Soon afterward Van Orden removed to New Jersey and did not pay the alimony. Mrs. Van Orden sued for it in the Chancery Court, and the case was carried to the Court of Appeals. Then Van Orden filed a petition in bankruptcy and named his divorced wife as his only creditor. The bankruptcy court ordered that the alimony amounted to about \$3,000. Judge Kirkpatrick has decided that alimony is a provable debt, but that a bankruptcy could only be discharged from the amount due at the time his petition was filed, and that it is an ever recurring liability. Van Orden must pay the alimony to his wife for the next five years, and if he fails to do so, Van Orden would have to file a petition in bankruptcy every month to avoid paying the alimony falling due. The court might bring new suits against him.

WILL BE FORMED.

A rumor was current yesterday that a company will be organized at Paterson to-day to control the trolley lines in Hudson, Essex, Bergen and Passaic counties, that the name to be

selected wife "The White Line Traction Com-
pany," and that David Young will be elected
president. Mr. Young, when seen yesterday
about the rumor, said:

"Bernard M. Shanley, who is deeply interested
in the formation of this new company, will leave
for Europe on August 9, and he is not expect-
ed to return before November. I hardly think
that the new company will be formally organ-
ized and in working order until Mr. Shanley
returns. Our associates do not know what name
the consolidated companies will adopt."

STOCKHOLDERS WIN.

PROPERTY CANNOT BE SOLD WITHOUT THE CON-

SENT OF THE OWNERS, SAYS JUDGE
KIRKPATRICK.

The suit of stockholders of the American Palace Car Company of Maine against the American Palace Car Company of New-Jersey, to restrain the latter company from disposing of patent rights

and other property of the Maine concern, which has been tried in the United States Circuit Court in New Jersey, has been decided by Judge Kirkpatrick in favor of the Maine company. The bill of complaint charges fraud. On that point Judge Kirkpatrick says: "It may be that no actual fraud was intended, but to sell a man's property without his knowledge or consent and appropriate

ized by him, is not within the limits of fair dealing as prescribed by law." The Court continues a temporary injunction granted by Judge Gray, of the United States Circuit Court.

THE CITY MUST PAY FOR THE METERS.

THIS WILL HALT JERSEY CITY'S PLAN TO
CHECK WASTE OF WATER.

The Street and Water Board of Jersey City has
furnished two water meters to the Pennsylvania
Eastern Company for which the company has re-

used to pay, contending that the city is required to supply the meters. The company desires to put a standpipe in its freightyard, and has made application for a meter, which the City Board refused to furnish until the company paid for the meters. A controversy ensued, and the question was referred to Corporation Counsel McDermott, who rendered an opinion yesterday that the city must provide

The meters, an appeal from the Supreme Court in the case of the Red Star Steamship Company against Jersey City. This decision will probably check the effort that was to be made to have an act passed requiring all property owners and lessees in cities of the first class to put in water meters at their own expense.

Fifty men working on School No. 1, in Hoboken, went on strike yesterday on the orders of a walking delegate named Conroy, from the Laborers' Union of the Federation of Trades, because Harry Coopers, a plumber, had six non-union men working there. The men who went on strike included blacklayers, ironworkers, plasterers, tinmiths and

laborers, and it looked as if the building of the schoolhouse would be delayed. At the expiration of two hours the non-union men consented to join the union, and work was resumed.